

The committee, consisting of Mr. Johnson, Mr. Pinckney, Mr. Smith, Mr. Dane and Mr. Henry, appointed to prepare a plan of a temporary government for such districts, or new states, as shall be laid out by the United States, upon the principles of the acts of cession from individual states, and admitted into the confederacy, submit the following report to the consideration of Congress.

The **COMMITTEE**, consisting of Mr. *Johnson*, Mr. *Pinckney*, Mr. *Smith*, Mr. *Dane* and Mr. *Henry*, appointed to prepare a **PLAN** of a **TEMPORARY GOVERNMENT** for such Districts, or new States, as shall be laid out by the United States, upon the Principles of the Acts of Cession from individual States, and admitted into the [?],—

Submit the following **REPORT** to the Consideration of Congress.

The United States in Congress assembled will appoint a governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress.

There shall be appointed by Congress, from time to time, a secretary whose commission shall continue in force for years unless sooner revoked by Congress. It shall be his duty to keep and preserve the acts and laws passed by the general assembly, and public records of the district, and of the proceedings of the governor in his executive department, and transmit an authentic copy thereof every three months to the secretary of Congress.

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There shall also be appointed a court, to consist of five judges, who shall have a common law and chancery jurisdiction, and whose commissions shall continue in force during good behaviour.

And to secure the rights of personal liberty and property to the inhabitants and others, purchasers in the said districts, it is hereby **RESOLVED**,

That the inhabitants of such districts shall always be entitled to the benefits of the act of *habeas corpus*, and of the trial by jury:

That the judges shall agree on the criminal laws of some one state, in their opinion the most perfect, which shall prevail in said district until the organization of the general assembly; but afterwards the general assembly shall have authority to alter them as they shall think fit:

That the real estates of resident proprietors, dying intestate previous to the organization of the general assembly, shall descend to the heirs of such proprietors, male and female, in equal parts; that is to say, if a father dies intestate, leaving a son and two daughters, the real estate shall be divided into three equal parts, and descend to each in such equal proportions; provided however that such proprietors shall be at liberty to dispose of such lands, by alienation, by bargain and sale, testamentary devise, or otherwise, as he shall think proper; but after the organization of the general assembly, the estates of resident proprietors, shall be subject to such disposition, by alienation, bargain and sale, descent or otherwise, as the said assembly shall direct.

The real estates of non-resident proprietors, shall be subject to such alienation while living, and disposal by testamentary devise as they shall think fit; but the real estates of non-resident proprietors dying intestate, shall descend in the same manner as those of resident proprietors, previous to the organization of the general assembly, until such district shall be admitted into the confederacy.

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The governor, for the time being, shall be commander in chief of the militia, and appoint and commission all officers in the same below the rank of general officers; all officers of that rank shall be appointed and commissioned by Congress. Previous to the organization of the general assembly, the governor shall appoint such magistrates and other civil officers, in each county or township, as he shall find necessary for the preservation of peace and good order in the same. After the general assembly shall be organized, the number of magistrates and other civil officers, with their powers and duties, and term of services, shall be regulated and defined by the said assembly; but all magistrates and other civil officers, not herein otherwise directed, shall, during the continuance of this temporary government, be appointed by the governor.

The governor shall, as soon as may be, proceed to lay out the land into counties and townships, subject however to such alterations as may thereafter be made by the legislature; so soon as there shall be free male inhabitants of full age within the said district, upon giving due proof thereof to the governor, they receive authority, with time and place, to elect representatives from their counties or townships, as aforesaid to represent them in general assembly; provided that for every tatives amount to after which the number and proportion of representatives shall be regulated by the legislature; provided that no person shall be eligible or qualified to act as a representative free male inhabitants there shall be one representative, and so on progressively with the number of free male inhabitants shall the right of representation encrease, until the number of representatives amount to after which the number and proportion of representatives shall be regulated by the legislature; provided that no person shall be eligible or qualified to act as a representative unless he shall be a citizen of one of the United States, or have resided within such district three years, and shall likewise hold in his own right, in fee simple, 200 acres of land within the same; provided also, that a freehold or life estate in fifty acres of land, if a citizen of any of the United States, and [?] year's residence, if a foreigner, in addition, shall be necessary to qualify a man as elector for the said representative.

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The representatives thus elected shall serve for the term of [?] year; and in case of the death of a representative or his resignation or renunciation of office, the governor shall issue a writ to the county or township for which he was a member, to elect another in his stead, to serve for the residue of the time.

The general assembly shall consist of the governor, a legislative council, to consist of five members, any three of whom to be a quorum, to be appointed by the United States in Congress assembled and to continue in office during pleasure; and a house of representative who shall have a legislative authority complete in all cases for the good government of the district; provided that no act of the said general assembly shall be construed to affect any lands the property of the United States, and provided further, that the lands of the non-resident proprietors, shall in no instance be taxed higher than the lands of residents.

All money bills shall originate in the house of representatives, and all other bills indifferently, either in the council or house of representatives, and having been passed by a majority in both houses, shall be referred to the governor for his assent, after obtaining which they shall be complete and valid.—But no bill, resolution, ordinance or legislative act whatever shall be valid or of any force without his assent.

The governor shall have power to [?] or prorogue the general assembly at their request, when in his opinion it shall be expedient.

The said inhabitants or settlers shall be subject to pay a part of the federal debts, contracted or to be contracted, and to bear a proportional part of the burthens of the government, to be apportioned on them by Congress [?] the same common rule and measure by which apportionments thereof shall be made on the other states.

The annual salary of the governor shall be of the legislative council of the judges, and of the secretary, per annum.

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The governor, judges, legislative council, secretary and such other officers as Congress shall at any time think proper to appoint in such district, shall take an oath of office before prescribed on the day of to the secretary at war, *mutatis mutandis*.

Whensoever any of the said states shall have of free inhabitants as many as are equal in number to the one thirteenth part of the citizens of the original states, to be computed from the last enumeration, such state shall be admitted by its delegates into the Congress of the United States, on an equal footing with the said original states, provided the consent of so many states in Congress is first obtained as may at that time be competent to such admission. **RESOLVED,**

That the resolutions of the 23d of April 1784, be, and the same are hereby annulled and repealed.